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ORDINANCE NO. 2001-014

AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY,
FLORIDA AMENDING ORDINANCE 86-32, AS
CODIFIED IN THE PALM BEACH COUNTY CODE
SECTION 13-101 THROUGH 13-106, INCREASING
MEMBERSHIP OF THE CHILDREN'S SERVICES
COUNCIL FROM NINE TO TEN MEMBERS;
INCREASING LIMIT ON THE MAXIMUM MILLAGE
RATE THAT MAY BE LEVIED BY THE CHILDREN'S
SERVICES COUNCIL OF PALM BEACH COUNTY;
PROVIDING FOR REPEAL OF LAWS IN CONFLICT;
PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE OF LAWS AND
ORDINANCES; PROVIDING FOR EFFECTIVE DATE.

15 **WHEREAS**, the Florida Legislature, pursuant to Chapter 433, Laws of
16 Florida 2000, has authorized the Children's Services Council of Palm Beach County to
17 increase the maximum millage rate it may levy from .5 mill to 1.0 mill of assessed valuation
18 of all properties in Palm Beach County subject to ad valorem taxation, provided a majority
19 vote of qualified electors of Palm Beach County voting in referendum approves such
20 increase; and

21 **WHEREAS**, the Children's Services Council directed that such referendum
22 be held in the general election November 7, 2000; and

23 **WHEREAS**, a majority vote of qualified electors of Palm Beach County
24 approved at this general election the referendum granting the Children's Services Council
25 authority to increase its maximum authorized millage rate as allowed by Chapter 433, Laws
26 of Florida 2000; and

27 **WHEREAS**, the local Ordinance which establishes the Children's Service
28 Council and governs its functions, currently limits the maximum millage rate which may be
29 levied by the Children's Services Council to one-half mill; and

30 **WHEREAS**, Section 125.901, Florida Statutes, provides that the size of the
31 Children's Services Council be increased from nine members to ten members; and

1 **WHEREAS**, this Ordinance 86-32, which is codified in the Palm Beach
2 County Code at sections 13-101 through 13-106, must be amended as set forth below to
3 remain consistent with applicable Florida law.

4 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF**
5 **COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

6 **Section 1.** Palm Beach County Code Section 13-102 is amended as set forth below:

7 **Sec. 13-102. Membership of children's services council.**

8 The children's services council shall consist of ten (10) nine
9 ~~(9)~~ members, including the superintendent of schools, a local
10 school board member (as selected by the school board), the
11 district administrator from district IX or such other district as
12 may serve Palm Beach County in the future from the state
13 department of children and family health and rehabilitative
14 services, and a member of the board of county commissioners
15 (as selected by the board of county commissioners), and the
16 judge assigned to juvenile cases who shall sit as a voting
17 member of the board, except that said judge shall not vote or
18 participate in the setting of ad valorem taxes under this
19 section. In the event there is more than one judge assigned to
20 juvenile cases in a county, the chief judge shall designate one
21 of said juvenile judges to serve on the board. The other five
22 (5) members of the board shall be appointed by the governor
23 and shall serve for terms of four (4) years each. If any of the
24 members of the council required to be appointed by the
25 governor under the provisions of this article shall resign, die
26 or be removed from office, the vacancy thereby created shall
27 as soon as practicable be filled by appointment by the
28 governor; and such appointment to fill a vacancy shall be for
29 the unexpired term of the person who resigns, dies or is
30 removed from office.

31 **Section 2.** Palm Beach County Code Section 13-104(b) is amended as set forth below:

32 **Sec. 13-104. Finances Generally.**

33 * * *

34 (b) On or before July 1 of each year, the children's services
35 council shall prepare and adopt an annual written budget of its
36 expected income and expenditures, including a contingency
37 fund. The written budget shall be certified and delivered to
38 the board of county commissioners on or before July 1 of each
39 year. Included in each certified budget shall be an estimate of
40 the millage rate necessary to be applied to raise the funds
41 budgeted for expenditures, which millage rate shall not
42 exceed the maximum millage rate allowed by law and applied
43 to a maximum of fifty cents (0.50) for each one thousand
44 dollars (\$1,000.00) of assessed valuation of all properties
45 within the county which are subject to county taxes.

1 **Section 3.** Palm Beach County Code Section 13-105 is amended as set forth below:

2 **Sec. 13-105. Levying of ad valorem taxes.**

3 In order to provide funds for the children's services council,
4 the council may levy ad valorem taxes annually on all taxable
5 property in the county in an amount not to exceed the
6 maximum millage rate allowed by law ~~one-half mill~~,
7 provided that the authority to levy such taxes has been
8 approved by a majority vote of the electors of the district
9 voting in a countywide election to be held in accordance with
10 the requirements of the constitution and the laws of Florida
11 and as set forth in this article. . . .

12 **Section 4. REPEAL OF LAWS IN CONFLICT.**

13 All local laws and ordinances applying to the unincorporated area of Palm
14 Beach County in conflict with any provision of this ordinance are hereby repealed to the
15 extent of any such conflict.

16 **Section 5. SEVERABILITY.**

17 If any section, paragraph, sentence, clause, phrase, or word of this ordinance
18 is for any reason held by the Court to be unconstitutional, inoperative or void, such holding
19 shall not affect the remainder of this ordinance.

20 **Section 6. INCLUSION IN THE CODE OF LAWS AND ORDINANCES.**

21 The provision of this ordinance shall become and be made a part of the code
22 of laws and ordinances of Palm Beach County, Florida. The Sections of the ordinance may
23 be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed
24 to "section," "article," or any other appropriate word.

25 **Section 7. EFFECTIVE DATE:**

26 The provisions of this ordinance shall become effective upon filing with the
27 Department of State.

1 APPROVED AND ADOPTED by the Board of County Commissioners of
2 Palm Beach County, on the 17th day of April, 2001.

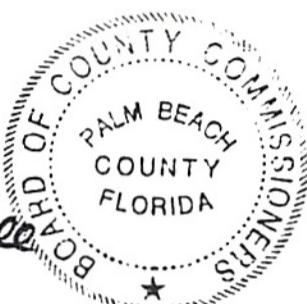
3 PALM BEACH COUNTY, FLORIDA.
4 BY ITS BOARD OF COUNTY COMMISSIONERS

5 By W. J. Dunn
6 Chairman

7 APPROVED AS TO FORM AND
8 LEGAL SUFFICIENCY

9 Leonard D. Brown
10 COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
Board of County Commissioners
By Dorothy H. Wilken
DEPUTY CLERK



11 EFFECTIVE DATE: Filed with the Department of State on this 25th day of
12 April, 2001.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on April 17, 2001.
DATED at West Palm Beach, FL on 5/8/01.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.